

Whereas, The Honorable Mark McGee, Director of the OPA in Texas, will be in Austin on February 1, together with his staff; and

Whereas, The House has heretofore passed a resolution inviting him to address the House of Representatives at 11:00 o'clock on the morning of February 1, 1943; and

Whereas, It is beneficial to the public and to the Members of the Senate to be fully informed with reference to rationing in Texas; now, therefore, be it

Resolved by the Senate, the House of Representatives concurring, That the said Hon. Mark McGee be invited to address a joint session of the House and Senate of Texas at 11:00 o'clock on February 1, 1943.

The resolution was read and was adopted by the following vote:

Yeas—22

Brownlee	Metcalf
Chadick	Moffett
Cotten	Moore
Fain	Morris
Graves	Ramsey
Jones	Stone
Lane	Sulak
Lanning	Vick
Lovelady	Weinert
Martin	Winfield
Mauritz	York

Nays—1

Beck

Absent—Excused

Aikin	Kelley
Bullock	Leniens
Formby	Shivers
Hazlewood	Spears

Accordingly, the President appointed Senators Aikin, Brownlee, and Winfield to escort Hon. Mark McGee to the joint session.

House Bill 58 on First Reading

The following House bill, previously received from the House, was laid before the Senate, read first time, and referred to the committee indicated:

H. B. No. 58, to Committee on State Affairs.

House Concurrent Resolution 16 Referred

The following resolution, previously received from the House, was read and was referred to the committee indicated:

H. C. R. No. 16, to Committee on Oil, Gas and Conservation.

Message from the House

A message, signed by Clarence Jones, Chief Clerk of the House of Representatives, and read by Mrs. Ida C. Banks, Assistant Reading Clerk of the House, informed the Senate that the House had passed the following bill:

S. B. No. 31, A bill to be entitled "An Act providing that it shall be unlawful to kill wild turkey in Guadalupe County for a period of three (3) years from and after passage of this Act; etc.; and declaring an emergency."

Senate Bill 95 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 95, A bill to be entitled "An Act providing that in all incorporated cities and towns containing more than two hundred ninety-three thousand (293,000) inhabitants and less than three hundred seventy-five thousand (375,000), according to the last preceding or any future Federal Census, the governing body shall have power to lay out, acquire and/or construct any section or portion of any street within its jurisdiction as a freeway under certain circumstances; declaring the provisions of this Act to be severable; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Adjournment

On motion of Senator Brownlee, the Senate at 11:10 o'clock a. m., adjourned until 10:00 o'clock a. m., Monday, February 1, 1943.

TWELFTH DAY

(Monday, February 1, 1943)

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called, and the following Senators were present:

Aikin	Fain
Beck	Graves
Brownlee	Hazlewood
Chadick	Jones
Cotten	Lane

Lanning	Ramsey
Lemens	Shivers
Lovelady	Stone
Martin	Sulak
Mauritz	Vick
Metcalf	Weinert
Moffett	Winfield
Moore	York
Morris	

A quorum was announced present.

Rev. S. B. Culpepper, Chaplain, offered prayer.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, January 28, 1943, was dispensed with and the Journal was approved.

Leaves of Absence Granted

Senator Formby was granted leave of absence for today and indefinitely on account of important business, on motion of Senator Winfield.

Senator Bullock was granted leave of absence for today on account of illness, on motion of Senator Lovelady.

Senator Kelley was granted leave of absence for this week on account of important business, on motion of Senator Stone.

Reports of Standing Committees

Senator Lanning submitted the following reports:

Finance Committee Room,
Austin, Texas,
January 28, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 48, A bill to be entitled "An Act providing for the immediate admission into the State Confederate Home at Austin, Texas, of all eligible Confederate Veterans, and providing for the maintenance of all Confederate Veterans who are now in said Home or may be hereafter admitted; and providing that the State Board of Control may order transferred to and maintained therein any senile person now in or hereafter admitted to a State Hospital, and providing for the furlough or discharge of such patient, and further providing that

such institution shall be a custodial institution only in so far as senile patients are concerned, and making an emergency, appropriation for the immediate repair, improvement, equipment, furnishing, and additional maintenance of said institution during the remainder of the biennium ending August 31, 1943; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed with the attached committee amendment.

LANNING, Chairman.

Finance Committee Room,
Austin, Texas,
January 28, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 98, A bill to be entitled "An Act appropriating Two Thousand Nine Hundred Nine Dollars and Seventy-seven Cents (\$2,909.77) supplementing the appropriation made by the Forty-seventh Legislature for the payment of taxes for county purposes only to counties in which are located endowment lands set aside to the University of Texas by the Constitution of the State of Texas in the Act of 1883; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANNING, Chairman.

Senator Fain submitted the following reports:

Committee Room,
Austin, Texas,
January 28, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Oil, Gas and Conservation to whom was referred H. C. R. No. 16, Requesting that the Office of Price Administration to establish the price of oil at parity, have had the same under con-

sideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

FAIN, Vice Chairman.

Austin, Texas,
January 28, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Oil, Gas and Conservation to whom was referred

S. B. No. 66, A bill to be entitled "An Act amending Article 7631 of Chapter 2 of Title 128 of the Revised Civil Statutes of Texas of 1925; and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be printed.

FAIN, Vice Chairman.

Austin, Texas,
January 28, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Oil, Gas and Conservation to whom was referred

S. B. No. 35, A bill to be entitled "An Act providing for the execution of an agreement to extend the Interstate Compact to Conserve Oil and Gas; prescribing the form of the agreement; prescribing procedure for withdrawal from the Compact; and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be printed.

FAIN, Vice Chairman.

Senate Bills on First Reading

The following bills were introduced, read first time, and referred to the committees indicated:

By Senator Beck:

S. B. No. 115, A bill to be entitled "An Act amending Article 227 of Title six of the Penal Code of the State of Texas, 1925; providing that any judge or clerk of an election, chairman or member of an executive committee, or officer of any primary, general, or special election, who wilfully makes a false canvass of the

votes cast, or false statement of the results of a canvass of ballots, shall be confined in the penitentiary for a term not less than two years nor more than five years; and further providing in such cases the court shall have authority, or under its direction, to open the ballot boxes and count the votes so cast in any precinct in the county, using due diligence to preserve the secrecy of the ballot, and providing for the return of the ballots to the County Clerk; and declaring an emergency."

To Committee on Privileges and Elections.

By Senators Formby and Chadick:

S. B. No. 116, A bill to be entitled "An Act to amend Subdivision 64 of Article 199, of the Revised Civil Statutes of Texas, 1925, so as to change the length of the terms of District Court and the time of holding the terms of District Court in Hale, Lamb, Swisher, Castro, and Bailey Counties, constituting the Sixty-fourth Judicial District of Texas; validating and continuing all processes issued or served before this Act takes effect, including recognizances and bonds, and making them returnable to the next terms of Court in said Counties and District, as herein fixed; to validate the summoning of grand and petit juries under the present law so as to render them available in said Counties under this Act; and declaring an emergency."

To Committee on Civil Jurisprudence.

By Senator Moffett:

S. B. No. 117, A bill to be entitled "An Act further regulating the traffic in alcoholic liquors in this State by amending the Texas Liquor Control Act in the following particulars: Amend Section 3, Article I, Chapter 467, Acts of the Second Called Session of the Forty-fourth Legislature, as amended by Section 1, Chapter 448, Acts of the Regular Session of the Forty-fifth Legislature, defining the term 'open saloon,' naming unlawful acts, and omitting special penalty; amend Section 4. (a), Article I, Chapter 467, Acts of the Second Called Session of the Forty-fourth Legislature, as amended by Section 4, Chapter 448, Acts of the Regular Session of the Forty-fifth Legislature, providing for permits for classified priv-

ileges; amending Section 13, Article I, Chapter 467, Acts of the Second Called Session of the Forty-fourth Legislature, as amended by Section 14, Chapter 448, Acts of the Regular Session of the Forty-fifth Legislature, declaring liquor permits and licenses special privileges and providing for issuance of such licenses and permits to successors in interest under certain conditions, providing conditions as to the holding of permits; amend Section 15 (b) as provided in Section 18, Chapter 448, Acts of the Regular Session of the Forty-fifth Legislature, amending Article I, Chapter 467, Acts of the Second Called Session of the Forty-fourth Legislature, providing time limitation for permits, the payment of fees, requiring permit for each outlet and for manner and method of refunding permit fees paid where application for permit is rejected; amend Section 15 (c) as provided in Section 19, Chapter 448, Acts of the Regular Session of the Forty-fifth Legislature, amending Article I, Chapter 467, Acts of the Second Called Session of the Forty-fourth Legislature, and as amended by Section 4, Chapter 13, Acts of the First Called Session of the Forty-fifth Legislature, providing for manner and method of issuance of permits and renewal thereof, providing for method of changing location where permit is used; amend Section 30, Article I, Chapter 467, Acts of the Second Called Session of the Forty-fourth Legislature, as amended by Section 37, Chapter 448, Acts of the Regular Session of the Forty-fifth Legislature, providing custody and sale of alcoholic beverages and property forfeited to the State as nuisances, providing for transfer of title thereof, providing for destruction of alcoholic beverages unfit for consumption, allocating funds and making appropriation thereof under certain conditions; etc.; and declaring an emergency."

To Committee on State Affairs.

By Senator Moffett:

S. B. No. 118, A bill to be entitled "An Act appropriating to the State Soil Conservation Board monies for payment of mileage claims of district supervisors for the fiscal year ending August 31, 1942, and August 31, 1943; and declaring an emergency."

To Committee on Finance.

By Senator Morris:

S. B. No. 119, A bill to be entitled "An Act to authorize persons licensed as chauffeurs and seventeen (17) years of age or over to operate motor vehicles used as public or common carriers of persons or school busses during the present war; and declaring an emergency."

To Committee on Highways and Motor Traffic.

By Senator Morris:

S. B. No. 120, A bill to be entitled "An Act appropriating and transferring, for the current fiscal year, to the Special Fund in the Treasury, known as the 'Blind Assistance Fund,' for the purpose of administering assistance to the blind as authorized by law, the sum of Seventy Thousand (\$70,000.00) Dollars from the Clearance Fund established by H. B. No. 8, Regular Session, Acts Forty-seventh Legislature, in addition to the Four Hundred Thousand (\$400,000.00) Dollars authorized to be transferred from such Clearance Fund by S. B. No. 490, Regular Session, Acts of Forty-seventh Legislature and providing that each fiscal year following the current fiscal year, there shall be transferred to the 'Blind Assistance Fund' from said Clearance Fund the sum of Seven Hundred Thousand (\$700,000.00) Dollars said amount to be provided on the basis of equal monthly instalments; and declaring an emergency."

To Committee on Finance.

By Senator Lovelady:

S. B. No. 121, A bill to be entitled "An Act to protect the public health by regulating the manufacture, baking, mix, compound, sale or offer for sale for human consumption of flour and bread as defined herein, and to require the enrichment of flour and bread by the addition of certain vitamins and minerals and to prescribe the methods of enrichment; authorizing the State Health Officer to change or add to the specifications for ingredients and amounts thereof; providing the method of enrichment; and authorizing the State Health Officer to prescribe rules and regulations as prescribed herein to carry out the provisions of this Act; authorizing the State Health Officer to determine the availability of the necessary ingredients; defining the terms used

herein; fixing active enforcement date of this Act; and providing a penalty for violation of any section of this Act."

To Committee on Public Health.

By Senator Lovelady:

S. B. No. 122, A bill to be entitled "An Act to protect the public health by regulating the sale, distribution or possession of, and to require the enrichment of oleomargarine by the addition of vitamins; and specifying ingredients and authorizing the State Health Officer to change or add to the specifications for such ingredients, and to determine the availability thereof; fixing active enforcement date of this Act, and to fix penalties for the violation of same; fixing active enforcement date of this Act; repealing all laws or parts of laws inconsistent with this Act."

To Committee on Public Health.

My Senators Moore, Shivers, and Chadick:

S. B. No. 123, A bill to be entitled "An Act providing for secret ballot, repealing laws in conflict herewith, providing a savings clause; and declaring an emergency."

To Committee on Privileges and Elections.

By Senator Moore:

S. B. No. 124, A bill to be entitled "An Act to amend Article 1498, Revised Civil Statutes of Texas of 1925, so as to eliminate therefrom the prohibition against a corporation organized under Chapter 15 of Title 32 borrowing money in excess of its paid up capital stock; and declaring an emergency."

To Committee on Civil Jurisprudence.

House Concurrent Resolution 16

On motion of Senator Moore, and by unanymous consent, the regular order of business was suspended to take up for consideration at this time:

H. C. R. No. 16, Requesting the Office of Price Administration to establish the price of oil at parity.

The President laid the resolution before the Senate.

The resolution was read and was adopted.

Senate Resolution 26

(Honoring Hon. James E. Ferguson)

Senator Winfield offered the following resolution:

Whereas, It has been brought to the attention of this Senate that the Honorable James E. Ferguson, former Governor of Texas is sick and temporarily confined to his home; and

Whereas, The Members of this body realize the splendid service which he has done for this State and for his people, both in an official and a personal capacity; and

Whereas, We hold him in the highest esteem and indulge for him the most affectionate regard; therefore, be it

Resolved by the Texas Senate, That we express to him our sympathy for his sick condition and the earnest hope that he may soon be restored to his former health and vigor and visit with us again as he has in the past; and be it further

Resolved, That the Secretary of the Senate furnish to Governor Ferguson an authentic copy of this resolution by having the Sergeant-at-Arms deliver the same to him in person at his residence in Austin.

WINFIELD.

Signed—Aikin, Beck, Brownlee, Bullock, Chadick, Cotten, Fain, Formby, Graves, Hazlewood, Jones, Kelley, Lane, Lanning, Lemens, Lovelady, Martin, Mauritz, Metcalfe, Moffett, Moore, Morris, Ramsey, Shivers, Spears, Stone, Sulak, Vick, Weinert, Winfield, and York.

On motion of Senator Mauritz, the names of all Senators were added to the resolution as signers thereof.

The resolution was adopted.

Bill Signed

The President signed in the presence of the Senate, after giving due notice thereof, and its caption had been read, the following enrolled bill:

S. B. No. 31, A bill to be entitled "An Act providing that it shall be unlawful to kill wild turkey in Guadalupe County for a period of three (3) years from and after passage of this Act; repealing all conflicting laws; providing a suitable penalty; and declaring an emergency."

Motion to Take up Senate Bill 5

Senator Moffett moved that the rules prescribing limitations relative to the consideration of bills during the first 60 days of the Regular Session be suspended, to permit the immediate consideration by the Senate of S. B. No. 5, regulating the sale of insecticides, etc.

The roll was called on the motion, and the President announced the motion had prevailed, and he laid the bill before the Senate on its second reading and passage to engrossment.

Senators Cotten, Weinert, and York then asked unanimous consent to be recorded as voting "nay" on the motion to suspend the rules and take up the bill for consideration at this time.

There was no objection offered, and they were so recorded.

The President then announced that the motion of Senator Moffett to suspend the rules was lost by the following vote (not receiving the necessary vote of four-fifths of all the Members of the Senate):

Yeas—23

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Fain	Moore
Graves	Morris
Hazlewood	Ramsey
Jones	Stone
Lane	Sulak
Lanning	Vick
Lemens	Winfield
Lovelady	

Nays—3

Cotten	York
Weinert	

Absent

Shivers

Absent—Excused

Bullock	Kelley
Formby	Spears

Message from the House

Hall of the House of Representatives,
Austin, Texas,
February 1, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House

has passed the following bills and resolutions:

H. B. No. 38, A bill to be entitled "An Act regulating fishing in or on Lake Travis in Travis County and Lake Austin in Travis County, and defining such lakes; etc.; and declaring an emergency."

H. B. No. 156, A bill to be entitled "An Act amending Section 1 of S. B. No. 449, Chapter 354, Acts of the Regular Session of the Forty-seventh Legislature, providing in counties having a population of more than five hundred thousand (500,000) for the extension for not to exceed ninety (90) days after the expiration of the term of the period during which the grand jury may sit to conclude its investigation; and declaring an emergency."

H. B. No. 201, A bill to be entitled "An Act authorizing cities and towns operating under special charter granted by the Legislature, as adopted or amended pursuant to the Home Rule Amendment to the Constitution of the State of Texas to submit to qualified property tax paying voters the proposition of the issuance of bonds to provide funds for paying certain valid judgments outstanding for the levy of a tax to pay interest and principal thereof; etc.; and declaring an emergency."

H. C. R. No. 18, Providing for Certain Adjournment Period. Be It Resolved by the House, the Senate concurring, That each House grant the other permission to adjourn from Thursday, January 28, to Monday, February 1, 1943.

S. C. R. No. 9, Inviting Hon. Mark McGee to address a joint session of the Legislature on February 1, 1943.

Respectfully submitted,

CLARENCE JONES,
Chief Clerk, House of Representatives.

House Bills on First Reading

The following House bills were laid before the Senate, read first time, and referred to the Committees indicated.

H. B. No. 38, to Committee on Game and Fish.

H. B. No. 156, to Committee on Counties.

H. B. No. 201, to Committee on State Affairs.

Senate Bill 95 on Third Reading

The President laid before the Senate on its third reading and final passage:

S. B. No. 95, A bill to be entitled "An Act providing that in all incorporated cities and towns containing more than two hundred ninety-three thousand (293,000) inhabitants and less than three hundred seventy-five thousand (375,000), according to the last preceding or any future Federal Census, the governing body shall have power to lay out, acquire and/or construct any section or portion of any street within its jurisdiction as a freeway under certain circumstances; declaring the provisions of this Act to be severable; and declaring an emergency."

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Chadick	Moore
Cotten	Morris
Fain	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York
Martin	

Absent—Excused

Bullock	Kelley
Formby	Spears

Messages from the Governor

The following messages from the Governor were received and were read and referred to the Committee on Nominations of the Governor:

Austin, Texas,
February 1, 1943.

To the Senate of the Forty-eighth Legislature:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

To be Public Weigher in and for Harris County for a two year term expiring February 18, 1945:

H. T. Krahn of Houston, Harris County.

To be Public Weigher in and for Harris County for a two year term expiring January 23, 1945:

H. J. Krahn of Houston, Harris County.

Respectfully submitted,

COKE R. STEVENSON,
Governor of Texas.

Austin, Texas,
January 27, 1943.

To the Senate of the Forty-eighth Legislature:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

To be Branch Pilots for the Brazos-Santiago Pass, Bar and Tributaries for two year terms expiring January 27, 1945:

Captain Aubrey Dodge Shaw of Cameron County,

Captain Joseph A. Kelly of Cameron County.

To be Public Weigher in and for Bexar County for a two year term expiring January 27, 1945:

G. C. Hagelstein, San Antonio, Bexar County,

M. A. Dozier, San Antonio, Bexar County.

To be Public Weigher in and for Brown County for a two year term expiring January 27, 1945:

H. L. Ehrke of Brownwood, Brown County.

Respectfully submitted,

COKE R. STEVENSON,
Governor of Texas.

Reports of Standing Committees

By unanimous consent, the following reports were submitted at this time:

Austin, Texas,
February 1, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries to whom was referred H. B. No. 156, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that the Committee substitute do pass in lieu of the original bill and be not printed.

FAIN, Vice Chairman.

Austin, Texas,
February 1, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Game and Fish to whom was referred H. B. No. 38, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

STONE, Chairman.

Senate Chamber,
February 1, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic to whom was referred S. B. No. 119, have had the same under consideration, and beg to report it back to the Senate with the recommendation that it do pass and be not printed.

METCALFE, Chairman.

Notice Given

Senator Brownlee gave notice that he would ask for an executive session of the Senate immediately after conclusion of the morning call on tomorrow.

Message from the House

Hall of the House of Representatives,
Austin, Texas,

Hon. John Lee Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolution:

H. C. R. No. 19, Inviting Lieutenant Colonel David Lee Hill to address a joint session of the Legislature at 2:30 o'clock p. m. today.

Respectfully submitted,

CLARENCE JONES,
Chief Clerk, House of Representatives.

House Concurrent Resolution 19

The President laid before the Senate, and directed the Secretary to read:

H. C. R. No. 19, Providing for a joint session of the Legislature at 2:30 o'clock p. m. today to hear an address by Lieutenant Colonel David Lee Hill.

The resolution was read, and, by unanimous consent, it was considered immediately and was adopted.

Senate Bill 4 on Second Reading

Senator Stone moved that all rules prescribing limitations relative to the consideration of bills during the first 60 days of the Regular Session be suspended, to permit the immediate consideration by the Senate of S. B. No. 4.

The motion prevailed by the following vote:

Yeas—27

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Chadick	Moore
Cotten	Morris
Fain	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York
Martin	

Absent—Excused

Bullock	Kelley
Formby	Spears

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 4, A bill to be entitled "An Act to amend Article 4706, Revised Civil Statutes of 1925, as thereafter amended; and declaring an emergency."

The bill was read second time.

Question—Shall the bill be passed to engrossment?

Senate Bill 119 on Second Reading

Senator Morris, by unanimous consent, moved that the rules prescribing limitations relative to the consideration of bills during the first 60 days of the Regular Session be suspended, to permit the immediate consideration by the Senate of S. B. No. 119, relating to minimum age of operators of motor vehicles.

The motion prevailed by the following vote:

Yeas—27

Aikin	Fain
Beck	Graves
Brownlee	Hazlewood
Chadick	Jones
Cotten	Lane

Lanning	Ramsey
Lemens	Shivers
Lovelady	Stone
Martin	Sulak
Mauritz	Vick
Metcalfe	Weinert
Moffett	Winfield
Moore	York
Morris	

Absent—Excused

Bullock	Kelley
Formby	Spears

Senator Morris moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 119 be placed on its second reading and passage to engrossment and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Chadick	Moore
Cotten	Morris
Fain	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York
Martin	

Absent—Excused

Bullock	Kelley
Formby	Spears

The President laid the bill before the Senate on its second reading and passage to engrossment.

The bill was read second time and was passed to engrossment.

Senate Bill 119 on Third Reading

The President then laid S. B. No. 119 before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Fain
Brownlee	Graves
Chadick	Hazlewood
Cotten	Jones

Lane	Morris
Lanning	Ramsey
Lemens	Shivers
Lovelady	Stone
Martin	Sulak
Mauritz	Vick
Metcalfe	Weinert
Moffett	Winfield
Moore	York

Nays—1

Beck

Absent—Excused

Bullock	Kelley
Formby	Spears

Joint Session

(To Hear Address of Hon. Mark McGee)

At 11:00 o'clock a. m., the President announced the hour heretofore fixed by joint action of the two Houses to meet in joint session to hear an address by Hon. Mark McGee had arrived, and he requested the Senators to proceed in a body to the Hall of the House of Representatives.

The Senate was announced at the Hall of the House, and the Senators were admitted and escorted to seats prepared for them along the aisle.

The President of the Senate, by invitation of the Speaker, occupied a seat on the Speaker's stand.

The President called the Senate to order and announced a quorum of the Senate present.

The Speaker requested the Members of the House to register, and announced a quorum of the House present and stated that the two Houses were in joint session to hear an address by Hon. Mark McGee, State Director of the Office of Price Administration.

At the request of the President, Senators Martin and Weinert and Representatives Gilmer and King escorted Governor Stevenson to a seat reserved for him on the Speaker's rostrum.

Hon. Mark McGee was announced at the bar of the House and was escorted to the Speaker's rostrum by Senators Brownlee, Aikin, and Winfield, on the part of the Senate, and Representatives Goodman of Tarrant, Hull, McAlister, Lane, Simpson, and Lasseter, on the part of the House.

The Speaker presented Lieutenant Governor John Lee Smith, who presented Hon. Mark McGee to the joint session.

Mr. McGee then addressed the joint session with reference to the rationing of gasoline and certain other commodities.

At the conclusion of the address, the President announced the business of the joint session completed and requested the Senators to retire to the Senate Chamber.

In the Senate

The President called the Senate to order at 11:50 o'clock a. m.

Resolution Signed

The President signed in the presence of the Senate the following resolution:

H. C. R. No. 16, Relating to the price of oil.

House Bill 38 on Second Reading

Senator Brownlee, by unanimous consent, moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 38 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote.

Yeas—27

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Chadick	Moore
Cotten	Morris
Fain	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York
Martin	

Absent—Excused

Bullock	Kelley
Formby	Spears

The President laid the bill before the Senate on its second reading and passage to third reading.

The bill was read second time.

Senator Martin offered the following amendment to the bill:

Amend H. B. No. 38 by adding after the word "possession" and in front of the word "on" in line No. 4, Section 1, the following "and set up for use or in condition showing it is prepared or placed in condition for use."

The amendment was adopted.

The bill was passed to third reading.

House Bill 38 on Third Reading

The President then laid H. B. No. 38 before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Chadick	Moore
Cotten	Morris
Fain	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York
Martin	

Absent—Excused

Bullock	Kelley
Formby	Spears

House Bill 156 on Second Reading

Senator Moore, by unanimous consent, moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 156 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Jones
Beck	Lane
Brownlee	Lanning
Chadick	Lemens
Cotten	Lovelady
Fain	Martin
Graves	Mauritz
Hazlewood	Metcalf

Moffett	Sulak
Moore	Vick
Morris	Weinert
Ramsey	Winfield
Shivers	York
Stone	

Absent—Excused

Bullock	Kelley
Formby	Spears

The President laid the bill before the Senate on its second reading and passage to third reading.

The bill was read second time and was passed to third reading.

House Bill 156 on Third Reading

The President then laid H. B. No. 156 before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Chadick	Moore
Cotten	Morris
Fain	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York
Martin	

Absent—Excused

Bullock	Kelley
Formby	Spears

Senate Bill 4 on Engrossment

The Senate resumed consideration of pending business, same being S. B. No. 4, to amend Article 4706 of the Revised Civil Statutes, on its passage to engrossment.

Question—Shall the bill be passed to engrossment?

On motion of Senator Stone, and by unanimous consent, further consideration of the bill was postponed until tomorrow immediately after conclusion of the morning call, and it was made a special order for that hour.

Recess

On motion of Senator Metcalfe, the Senate, at 12:15 o'clock p. m., took recess to 2:00 o'clock p. m. today.

Afternoon Session

The Senate met at 2:00 o'clock p. m., and was called to order by the President.

On motion of Senator Weinert, the Senate, at 2:01 o'clock p. m., agreed to stand at ease subject to the call of the Chair.

The President called the Senate to order at 2:10 o'clock p. m.

Senate Bill on First Reading

By unanimous consent, the following bill was introduced, read first time and referred to the committee indicated:

By Senators Kelley and Aikin:

S. B. No. 125, A bill to be entitled "An Act to amend Section 1 of Article 1 of H. B. No. 284, Acts of the Regular Session of the Forty-seventh Legislature; and declaring an emergency."

To Committee on Education.

Senate Bill 48 on Second Reading

On motion of Senator Lanning, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

S. B. No. 48, A bill to be entitled "An Act providing for the immediate admission into the State Confederate Home at Austin, Texas, of all eligible Confederate Veterans, and providing for the maintenance of all Confederate Veterans who are now in said Home or may be hereafter admitted; and providing that the State Board of Control may order transferred to and maintained therein any senile person now in or hereafter admitted to a State Hospital; and providing for the furlough or discharge of such patient, and further providing that such institution shall be a custodial institution only in so far as senile patients are concerned, and making an emergency appropriation for the immediate repair, improvement, equipment, furnishing, and additional maintenance of said institution during the remainder of the biennium ending August 31, 1943; and declaring an emergency."

The President laid the bill before the Senate on its second reading and passage to engrossment.

The bill was read second time.

Senator Lanning offered the following committee amendment to the bill:

Amend S. B. No. 48 by inserting after the word "buildings" under Subdivision a in Section 3 of such bill the words "and abstract of title."

The amendment was adopted.

Senator Brownlee offered the following amendment to the bill:

Amend the bill by striking out all before and all after the enacting clause and inserting in lieu thereof the following:

A Bill

To Be Entitled

"An Act providing for the immediate admission into the Texas Confederate Home for Men at Austin, Texas, of all eligible Confederate Veterans, and providing for the maintenance and segregation of all Confederate Veterans who are now in said Home or may be hereafter admitted; and providing that the State Board of Control may order transferred to and maintained therein any senile person now or hereafter admitted to a State Hospital or from any county in Texas; and providing for the furlough or discharge of such patient, and further providing that such institution shall be a custodial institution only in so far as senile patients are concerned, and making an emergency appropriation for the immediate repair, improvement, equipment, furnishing, and additional maintenance of said institution during the remainder of the biennium ending August 31, 1943, and declaring an emergency, and making this Act cumulative."

"Section 1. That all eligible Confederate Veterans hereafter making application for admission to the Texas Confederate Home for Men at Austin, Texas, be given priority of admission, and the State Board of Control shall reserve sufficient space, at all times, for their admission and maintenance and they, together with all Confederate Veterans now maintained in said Home, and all senile persons to be transferred to said Home segregated and be maintained in said Home.

"Sec. 2. The Superintendent of any State Hospital is hereby authorized, upon receipt of a written order from the State Board of Control, to transfer from said Texas Hospital to the Texas Confederate Home for Men

at Austin, Texas, any senile patient now being maintained in said hospital, or hereafter admitted thereto, and to relinquish custody of said senile patient, and custody of said patient is hereby placed in the Confederate Home for Men at Austin, Texas.

"Sec. 3. The State Board of Control shall have the right to cause to be admitted to the Texas Confederate Home for Men at Austin, Texas, any senile aged person after such person has been duly adjudged insane, upon receipt of the certified transcript of such proceeding in the manner required by law.

"Sec. 4. The Superintendent of the Texas Confederate Home for Men at Austin, Texas, may upon the recommendation of the chief physician employed at such institution, grant any senile patient confined therein a furlough or discharge in the same manner in which such senile patients are now released from State Hospitals.

"Sec. 5. The Texas Confederate Home for Men at Austin, Texas, shall never be considered a custodial institution in so far as the laws, rules and regulations governing such institution effect Confederate Veterans, but shall be and is hereby made a custodial institution for senile patients.

"Sec. 6. The preceding provisions of this Act are cumulative of existing law governing the Texas Confederate Home for Men, and it is the Legislative intent that such home revert to the purposes for which it has been heretofore dedicated, when other facilities for the care of the senile aged patients contemplated by this Act, are provided.

"Sec. 7. That the several sums of money herein specified, or so much thereof as may be necessary, are hereby appropriated, out of any monies in the State Treasury, not otherwise appropriated, for the purposes herein indicated as follows:

"a. General repairs, improvements and remodeling of all cottages, dining halls, employees quarters, center building, administration building, boiler house and laundry building, so as to include among other things, the repairs and replacements of electric, plumbing, heating, piping, roofing, and

painting and to include all necessary equipment and furniture for said building, and abstract of title.....\$46,000.00

"b. General repairs, improvements and remodeling so as to include, among other things, the repairs and replacements of electric,

plumbing, heating, piping, elevator, roofing, and painting, and to include all necessary equipment and furnishing for said building.....\$60,000.00

"c. Salaries for additional necessary help for the remainder of the biennium ending August 31, 1943:

"1. Barber	\$ 360.00
2. Cook, chief	450.00
3. Cooks, assistants, none to exceed \$50 per month....	600.00
4. Chief Utilities operator.....	600.00
5. Chief physician	3,600.00
6. First assistant chief physician.....	2,750.00
7. Dentist (part-time)	1,375.00
8. Firemen-matress makers-painters, three, none to exceed \$40 per month.....	720.00
9. Attendants for recreation, three.....	1,080.00
10. Nurses, practical, fourteen, none to exceed \$60 per month	5,040.00
11. Secretary	450.00
12. Seamstress	300.00
13. Storekeeper-accountant with board, room and laundry for self and family.....	600.00
14. Waitresses, three, none to exceed \$40 per month	720.00
15. Yardmen, four, one at \$60 per month.....	1,260.00
16. Contingent salaries	1,440.00
"d. Support and maintenance for remainder of biennium ending August 31, 1943.....	\$ 19,800.00
GRAND TOTAL.....	\$147,145.00

"Sec. 7. The fact that there are now being maintained in the State Hospitals of Texas many senile persons who should be segregated from other mentally ill persons, and the further fact that there are many senile persons in the jails of Texas awaiting admission into State Hospitals for maintenance and for whom there is not now adequate room in State Hospitals, creates an emergency and an imperative public necessity requiring the constitutional rule that bills be read on three several days be suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted."

The amendment was adopted.

The bill as amended then was passed to engrossment.

Senate Bill 48 on Third Reading

Senator Lanning moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 48 be

placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Chadick	Moore
Cotten	Morris
Fain	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York
Martin	

Absent—Excused

Bullock	Kelley
Formby	Spears

The President then laid S. B. No. 48 before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Chadick	Moore
Cotten	Morris
Fain	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York
Martin	

Absent—Excused

Bullock	Kelley
Formby	Spears

Committee Substitute Senate Bill 23

On motion of Senator Ramsey, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

C.S.S.B. No. 23, A bill to be entitled "An Act amending Paragraph numbered 1, of Article 199, Title 8, Revised Civil Statutes of Texas, providing for a continuous term of Court in the counties in the First Judicial District of Texas; and declaring an emergency."

The President laid the bill before the Senate on its second reading and passage to engrossment.

The bill was read second time and was passed to engrossment.

Committee Substitute Senate Bill 23 on Third Reading

Senator Ramsey moved that the constitutional rule requiring bills to be read on three several days be suspended and that C. S. S. B. No. 23 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Hazlewood
Beck	Jones
Brownlee	Lane
Chadick	Lanning
Cotten	Lemens
Fain	Lovelady
Graves	Martin

Mauritz	Stone
Metcalf	Sulak
Moffett	Vick
Moore	Weinert
Morris	Winfield
Ramsey	York
Shivers	

Absent—Excused

Bullock	Kelley
Formby	Spears

The President laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Chadick	Moore
Cotten	Morris
Fain	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York
Martin	

Absent—Excused

Bullock	Kelley
Formby	Spears

Report of Standing Committee

Senator York, by unanimous consent, submitted at this time the following report:

Austin, Texas,
January 23, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on State Departments to whom was referred S. B. No. 45, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

YORK, Chairman.

Senate Bill 79 on Second Reading

On motion of Senator York, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

S. B. No. 79, A bill to be entitled "An Act to amend Subdivision 85

of Article 199, Title 8, of the Revised Statutes of Texas, 1925, so as to change the time and terms of holding the 85th District Court in Robertson and Brazos Counties, constituting the Eighty-fifth processes issued or served before this Act takes effect, including recognizances and bonds, and making them returnable to the next term of court in said counties and district, as herein fixed; to validate the summoning of grand and petit juries under this Act; providing for apportionment of reporter's salary; and declaring an emergency."

The President laid the bill before the Senate on its second reading and passage to engrossment.

The bill was read second time and was passed to engrossment.

Senate Bill 79 on Third Reading

Senator York moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 79 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Chadick	Moore
Cotten	Morris
Fain	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York
Martin	

Absent—Excused

Bullock	Kelley
Formby	Spears

The President then laid S. B. No. 79 before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin	Fain
Beck	Graves
Brownlee	Hazlewood
Chadick	Jones
Cotten	Lane

Lanning	Ramsey
Lemens	Shivers
Lovelady	Stone
Martin	Sulak
Mauritz	Vick
Metcalf	Weinert
Moffett	Winfield
Moore	York
Morris	

Absent—Excused

Bullock	Kelley
Formby	Spears

Supplementary Committee Appointment

The President announced the appointment of Senator Jones to membership on the Committee on Public Health, in lieu of Senator Chadick, resigned.

Joint Session

(To Hear Address of Lieutenant Colonel David Lee Hill)

At 2:30 o'clock p. m., the President announced the hour heretofore fixed by joint action of the two Houses to meet in joint session to hear an address by Lieutenant Colonel David Lee Hill had arrived, and he requested the Senators to proceed in a body to the Hall of the House of Representatives.

The Senate was announced at the Hall of the House, and the Senators were admitted and escorted to seats prepared for them along the aisle.

The President of the Senate, by invitation of the Speaker, occupied a seat on the Speaker's stand.

The Speaker ascertained and announced the presence of a quorum of the House.

The President of the Senate called the Senate to order, and announced a quorum of the Senate present.

Lieutenant Colonel David Lee Hill, accompanied by Governor Coke R. Stevenson and by his father, Dr. P. B. Hill, was announced at the bar of the House and was escorted to the Speaker's stand by Senators Winfield, Aikin, and York, on the part of the Senate and by Representatives Dwyer, Bell of Bexar, Hoyo, Ridgeway, and Williamson, on the part of the House.

The Speaker then presented Hon. Pat Dwyer, Member of the House from Bexar County, who read the resolution providing for the joint ses-

sion, and presented an official copy of it to Lieutenant Colonel Hill.

Dr. P. B. Hill, having been presented to the joint session by the President of the Senate, thanked the Members of the Legislature for the invitation extended to his son to address the joint session.

The Speaker then presented Governor Coke R. Stevenson, who introduced Lieutenant Colonel David Lee Hill to the joint session.

Lieutenant Colonel Hill addressed the joint session and related certain experiences as a member of the United States air forces in the far East.

At the conclusion of the address, the President requested the Senate to repair to the Senate Chamber.

In the Senate

The President called the Senate to order at 3:30 o'clock p. m.

Adjournment

On motion of Senator Lanning, the Senate, at 3:31 o'clock p. m., adjourned until 10:00 a'clock a. m. tomorrow.

THIRTEENTH DAY

(Tuesday, February 2, 1943)

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called, and the following Senators were present:

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Graves	Ramsey
Hazlewood	Shivers
Jones	Stone
Lane	Sulak
Lanning	Weinert
Lemens	Winfield
Lovelady	York
Martin	

A quorum was announced present.

Rev. S. B. Culpepper, Chaplain, offered prayer.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leave of Absence Granted

Senator Cotten was granted leave of absence for today and the balance of this week on account of a death in his family, on motion of Senator Lanning.

Acceptance of Service Flag

Senator Moffett submitted the following memorial, which was read to the Senate:

Whereas, Our Nation, the United States of America was invaded and ruthlessly attacked, December 7, 1941, with thousands of our civilians and members of our armed forces killed, by Japan. Nazi Germany and Facist Italy then declared war upon the United States in sympathy with Japan;

Whereas, Texas war mothers and grandmothers of soldiers, sailors and marines in active duty of the armed forces of this Nation during World War II, have united and formed an organization of Mothers of World War II, which was duly granted a charter by the State of Texas, January 14, 1942, for the purpose of engaging in benevolent, charitable, educational, missionary undertakings and especially to render sisterly love and spiritual advice, and material aid to the mothers, wives, sisters and families of men who serve our country during wars, and to assist in perpetuating the history of each Texan serving in said wars, and cooperate with other organizations who are engaging in aforesaid activities, provided such organizations pledge allegiance to the United States flag and are willing to make sacrifices to preserve the unity of our Nation, in order to provide our sons with equipment to protect our Nation and their lives;

Whereas, Members of the Texas Legislature and Senate have answered the call to arms to protect our Nation during this great war, a Service Flag has been designed and made by Mrs. Ovid Ferguson-Rasor, Organizer-President of Mothers of World War II, to perpetuate the history of these valiant Texas men;

Whereas, The American Legion, who represents our national defenders of other wars and also this war, is furnishing hospitalization for our sons as they return disabled from wounds